

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE ROYALTY NETWORK INC.,

Plaintiff,

Case No. 07-CV-3067 (RMB)

v.

COLUMBIA RECORDING CORPORATION,  
SONY BMG MUSIC ENTERTAINMENT,  
Individually and d/b/a SONY BMG SALES  
ENTERPRISE, BEYONCE GISSELLE  
KNOWLES, individually and d/b/a B-DAY  
PUBLISHING, and EMI APRIL MUSIC, INC.,

**NOTICE OF MOTION TO  
ADMIT COUNSEL *PRO*  
*HAC VICE***

**ECF CASE**

Defendants.  
-----X

PLEASE TAKE NOTICE that upon the annexed affirmation of Marc J. Rachman, Esq., affidavit of Henry J. Fasthoff, IV, Esq. and the Certificate(s) of Good Standing, Defendants Beyoncé Knowles; Sony BMG Music Entertainment, incorrectly sued as Columbia Recording Corporation and Sony BMG Sales Enterprise; and EMI April Music, Inc. ("Defendants") will move this Court before the Honorable Richard M. Berman at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of Henry J. Fasthoff, IV, Esq., a member of the firm of Stumpf Craddock Massey Farrimond and a member in good standing of the Bar of the States of Texas and New York, as attorney pro hac vice to argue and try this case in whole or in part as counsel for Defendants.

MAY 02 2007

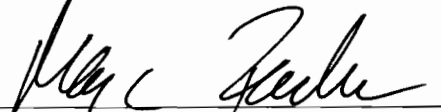
#6-13839 \$25- R

Dated: April ~~3~~<sup>2</sup>, 2007  
New York, New York

Respectfully submitted,

DAVIS & GILBERT LLP

By :



Marc J. Rachman (MR 4094)

Ina B. Scher (IS 2841)

1740 Broadway

New York, New York 10019

(212) 468-4800

*Local Counsel for Beyoncé  
Knowles; Sony BMG Music  
Entertainment, incorrectly sued as  
Columbia Recording Corporation  
and Sony BMG Sales Enterprise;  
and EMI April Music, Inc.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ENTERPRISE, BEYONCE GISSELLE  
KNOWLES, individually and d/b/a B-DAY  
PUBLISHING, and EMI APRIL MUSIC, INC.,

**DECLARATION OF MARC J.  
RACHMAN, ESQ. IN SUPPORT  
OF APPLICATION OF HENRY  
J. FASTHOFF, IV, ESQ. FOR  
ADMISSION *PRO HAC VICE***

**ECF CASE**

Defendants.

-----X

MARC J. RACHMAN, Esq., an attorney admitted to practice in the State of New York, pursuant to 28 U.S.C. § 1746, hereby declares, under penalty of perjury, that the foregoing is true and correct:

1. I am a partner with the law firm of Davis & Gilbert LLP. I have been a member in good standing of the Bar of the State of New York since 1994 and of this Court since 1998. I submit this Declaration as sponsor in support of the joint Motion for an Order permitting Henry J. Fasthoff, IV, Esq. to practice before this Court in connection with all proceedings in the above-captioned matter.

2. Mr. Fasthoff is a member of the firm Stumpf Craddock Massey Farrimond, with an office located at 1400 Post Oak Boulevard, 4<sup>th</sup> Floor, Houston, Texas 77056. Mr. Fasthoff is a member in good standing of the State Bar of Texas and New York.

3. In compliance with Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I have attached as Exhibit A to this Declaration a Certificate of Good Standing for Mr. Fasthoff issued within the past thirty days by the Clerk of the Supreme Court of Texas and New York.

4. I have also attached as Exhibit B to this Declaration the Declaration of Henry J. Fasthoff, IV, Esq. (the "Fasthoff Declaration"). Sony BMG, Knowles, and EMI April Music jointly respectfully request that the Fasthoff Declaration be considered part of his application for admission *pro hac vice* in this case.

5. Also submitted with this motion is a proposed Form of Order.

Dated:

May 1, 2007  
New York, New York



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MARC J. RACHMAN



*State of New York*  
*Supreme Court, Appellate Division*  
*Third Judicial Department*

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*I, Michael J. Novack, Clerk of the Appellate Division of the Supreme Court of the State of New York, Third Judicial Department, do hereby certify that*

*Henry James Fasthoff, IV*

*having taken and subscribed the Constitutional Oath of Office as prescribed by law, was duly licensed and admitted to practice by this Court as an Attorney and Counselor at Law in all courts of the State of New York on the 19th day of April, 2007, is currently in good standing and is registered with the Administrative Office of the Courts as required by section four hundred sixty-eight-a of the Judiciary Law.*

*In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Court, at the City of Albany, this 26th day of April, 2007.*



*Michael J. Novack*  
\_\_\_\_\_  
*Clerk*

# The Supreme Court of Texas

AUSTIN

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CLERK'S OFFICE

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I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

**HENRY J. FASTHOFF IV**

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 7th day of November, 1997.

I further certify that the records of this office show that, as of this date

**HENRY J. FASTHOFF IV**

is presently enrolled with the State Bar of Texas as an active member in good standing.

**IN TESTIMONY WHEREOF** witness my hand  
and the seal of the Supreme Court of  
Texas at the City of Austin, this 26th day  
of April, 2007.

BLAKE HAWTHORNE, Clerk

by Andrea King  
Andrea King, Deputy Clerk

No. 0885

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE ROYALTY NETWORK INC.,

Plaintiff,

Case No. 07-CV-3067 (RMB)

v.

COLUMBIA RECORDING CORPORATION,  
SONY BMG MUSIC ENTERTAINMENT,  
Individually and d/b/a SONY BMG SALES  
ENTERPRISE, BEYONCE GISSELLE  
KNOWLES, individually and d/b/a B-DAY  
PUBLISHING, and EMI APRIL MUSIC, INC.,

**DECLARATION OF  
HENRY J. FASTHOFF, IV**

**ECF CASE**

Defendants.

-----X

HENRY J. FASTHOFF, IV, Esq., an attorney admitted to practice in the States of Texas and New York, pursuant to 28 U.S.C. § 1746, hereby declares, under penalty of perjury, that the foregoing is true and correct:

1. I am an attorney admitted to practice in the States of Texas and New York.
2. I am a shareholder with the firm Stumpf Craddock Massey Farrimond, with an office located at 1400 Post Oak Boulevard, 4th Floor, Houston, Texas 77056. My telephone number is (713) 871-0919.
3. I submit this Declaration in support of the motion for my admission pro hac vice to represent Defendants Beyoncé Knowles; Sony BMG Music Entertainment, incorrectly sued as Columbia Recording Corporation and Sony BMG Sales Enterprise; and EMI April Music, Inc. in the above-captioned matter.

4. I have been a member in good standing of the Bar of the State of Texas since 1997 and of New York since April 19, 2007. I am also admitted to practice before the United States District Courts for the Southern, Eastern and Western Districts of Texas; Fifth Circuit Court of Appeals; Sixth Circuit Court of Appeals, and the United States Supreme Court.

5. I am not under suspension or disbarment by any court.

6. I recognize that if I am admitted pro hac vice, I am within the disciplinary jurisdiction of the United States District Court for the Southern District of New York. Upon my admission pro hac vice, I agree to comply with all applicable New York Local Rules of Civil Procedure.

Dated: April 29, 2007  
Houston, Texas



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HENRY J. FASTHOFF, IV



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE ROYALTY NETWORK INC.,

Plaintiff,

Case No. 07-CV-3067 (RMB)

-against-

COLUMBIA RECORDING CORPORATION,  
SONY BMG MUSIC ENTERTAINMENT,  
Individually and d/b/a SONY BMG SALES  
ENTERPRISE, BEYONCE GISSELLE KNOWLES,  
individually and d/b/a B-DAY PUBLISHING, and  
EMI APRIL MUSIC, INC.

**ORDER FOR ADMISSION *PRO*  
*HAC VICE* ON WRITTEN  
MOTION**

**ECF CASE**

Defendants.  
-----X

Upon the motion of Defendants Sony BMG Music Entertainment, Beyonce Gisselle Knowles and EMI April Music, Inc., supported by the Declaration of their counsel Marc J. Rachman of Davis & Gilbert LLP as sponsor, for Henry J. Fasthoff, IV, Esq.;

**IT IS HEREBY ORDERED** that

Applicant's Name: Henry J. Fasthoff, IV, Esq.

Firm's Name: Stumpf Craddock Massey Farrimond

Address: 1400 Post Oak Boulevard, 4<sup>th</sup> Floor

City/State/Zip: Houston, TX 77056

Telephone/Fax: (713) 871-0919/(713) 871-0408

Email Address: hfasthoff@scmfpc.com

is admitted to practice *pro hac vice* as counsel for BMG Music Entertainment, Beyonce Giselle Knowles and EMI April Music, Inc. in the above captioned case in the United States District

Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated:

\_\_\_\_\_  
New York, New York

\_\_\_\_\_  
United States District/Magistrate Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
THE ROYALTY NETWORK, INC.,

Plaintiff,

-against-

COLUMBIA RECORDING CORPORATION,  
SONY BMG MUSIC ENTERTAINMENT,  
individually and d/b/a SONY BMG SALES  
ENTERPRISE, BEYONCE GISSELLE  
KNOWLES, individually and d/b/a B-DAY  
PUBLISHING, and EMI APRIL MUSIC, INC.

Defendant(s).

07 Civ. 3067 (RMB)

**AFFIDAVIT OF SERVICE BY MAIL**

STATE OF NEW YORK            )  
  ) ss:  
COUNTY OF NEW YORK        )

**John T. Heatherton** , being first duly sworn on oath, deposes and states as follows:

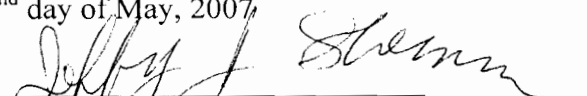
1. I am over 18 years of age, I reside at 232 Otis Avenue, Staten Island, New York, and I am not a party to this action.

2. On May 2 2007, I served the foregoing Notice Of Motion To Admit Counsel Pro Hac Vice by first-class mail, by depositing true copies of the attached papers, enclosed and properly sealed in postpaid envelopes, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, addressed to each of the following persons at the last known address set forth after each name:

Anthony Robert Motta, Esq.  
130 William Street, Suite 603  
New York, NY 10038

  
John T. Heatherton

Subscribed and sworn to before me  
this 2<sup>nd</sup> day of May, 2007,

  
Notary Public, State of New York

**JEFFREY J. SHERMAN**  
Notary Public, State of New York  
No. 01SH6079080  
Qualified in New York County  
Commission Expires August 12, 2010